

**STATE OF NEW MEXICO ENVIRONMENT DEPARTMENT  
STORAGE TANK COMMITTEE MEETING  
Jerry Apodaca Building  
Mabry Hall  
300 Don Gaspar/Corner DE Vargas Street  
Santa Fe, NM 87501**

**September 2010, Minutes**

The meeting of the Storage Tank Committee was called to order by Mr. Jim Norton, Chair, at 10:24 a.m.

This Petroleum Storage Tank meeting was very brief so the Committee could tour the Santa Fe County Judicial Complex Remediation Site. Each item was allotted a 5 minute update.

**Members Present:**

Jim Norton, Chair  
Ryan Briggs, STC Member  
Bruce Thompson, STC Member  
Paul Aguilar, STC Member  
Ruben Baca, STC Member

**Others:**

Jennifer Pruett, NMED/PSTB  
Marlene Cordova, NMED/PSTB  
Joyce Shearer NMED/PSTB  
Kalvin Martin, NMED/PSTB  
Stephen Reuter, NMED/PSTB

**Members Absent:**

Joseph Chavarria, STC Member

Lorena Goerger, NMED/PSTB  
Pat DeGruyter, NMED/PSTB  
Susan von Gonten, NMED/PSTB  
John Kovacs, NMED/PSTB  
Michael Hannigan, Basin Engineering Inc.  
David Wagner, Western Technologies  
Scott McKittrick, SMA  
Karl Tonandar, SMA  
Mike McVey, DBS&A  
Gundar Peterson, DBS&A  
John Casey, Basin Engineering

**Item #1                    ROLL CALL**

Roll call was taken and it was determined a quorum was present.

**Item #2            APPROVAL OF THE AGENDA**

A motion was called; Mr. Briggs moved to approve the agenda, Mr. Aguilar seconded the motion. Motion passed unanimously.

**Item #3      APPROVAL OF APRIL 2010 MINUTES**

The Chair asked if there were any changes in the minutes.

Since no changes were made to the minutes a motion was called. Mr. Aguilar moved to approve the June minutes seconded by Mr. Briggs. Motion passed unanimously.

**Item #4      CORRECTIVE ACTION FUND UPDATE**

Ms. Marlene Cordova, Reimbursement Manager took the Committee through the months of May, June and July.

Ms. Cordova stated that the Bureau will be sending out letters today to contractors to let them know the Bureau will be enforcing the 90 day rule. If the Bureau does not receive the claim with in the 90 days the claim will be rejected.

Ms. Pruett stated this is a matter of managing the Corrective Action Fund.

A discussion followed on the importance of claims being submitted timely, and the effects it plays on the Corrective Action Fund.

**May 2010**

Beginning Cash	\$ 12,014,583	Reserve	\$ 1,000,000
Loading Fee	1,672,439	Work plan liabilities	8,820,829
Payment	(1,020,753)	Un-obligated	2,095,182
Operating Transfer	(750,258)		
Ending Cash	\$ 11,916,012		

**June 2010**

Beginning Cash	\$ 11,916,012	Reserve	\$ 1,000,000
Loading Fee	\$ 1,432,102	Work plan liabilities	7,700,152
Payment	(1,403,557)	Un-obligated	3,044,147
Operating Transfer	(200,258)		
Ending Cash	\$ 11,744,298		

Ms. Cordova stated the Bureau reduced the Operating Budget for PSTB for June was reduced because workplans were not going to materialize. This will go back in the fund.

**July 2010**

Beginning Cash	\$ 11,744,298	Reserve	\$ 1,000,000
Loading Fee	1,896,118	Work plan liabilities	7,814,887
Payment	( 183,399)	Un-obligated	3,995,732
Operating Transfer	(696,733)		
Deposit	50,334		
Ending Cash	\$ 12,810,618		



for a temporary soil vapor extraction system and equipment that was bought for the system using the stimulus money.

**June 2010**

<u>Responsible Party</u>	<u>State Lead</u>
9 \$ 155,634.16	4 \$ 270,851.15
<u>Addendums</u>	<u>Addendums</u>
\$ 0	\$ 0
<b>Total</b> \$ 155,634.16	<b>Total</b> \$ 270,851.15
<b>GRAND TOTAL</b> \$ 426,485.31	

**July 2010**

<u>Responsible Party</u>	<u>State Lead</u>
9 \$ 293,527.15	3 \$ 33,054.53
<u>Addendums</u>	<u>Addendums</u>
1 \$ 5.98	1 \$ 1,625.69
<b>Total</b> \$ 293,533.13	<b>Total</b> \$ 34,680.22
<b>GRAND TOTAL</b> \$ 328,213.35	

**July 2010**

<u>ARRA WorkPlans</u>	
1 \$ 21.24	
<b>Total</b> \$ 21.24	
<b>GRAND TOTAL</b> \$21.24	

Ms. Shearer stated that Bureau received \$1,590,000.00 in stimulus money; all of this has been obligated for work at state lead sites. \$100,000.00 is being used to pay for a data base developer. The Bureau has until September 2011 to use these stimulus monies.

A PowerPoint presentation was given on Mike's Auto Detail Site in Belen, by Pat DeGruyter. A discussion followed after the presentation about the cleanup site. Copies of the presentation will be available on the PSTB website.

A discussion followed the presentation about the site.

**Item # 6      PREVENTION AND INSPECTION UPDATE**

Mr. Kalvin Martin, Prevention Inspection Program Manager, updated the Committee on his Program. Mr. Martin stated his program was getting ready to send out a second round of letters for delinquent tank fees to owners. Last year the program sent out 90 letters to tank owners totaling about \$26,000.00 in delinquent fees. The program expects to send out fewer letters this year.

Mr. Martin spoke briefly about inspection requirements stating that EPA requires the Bureau to certify that the program has inspected underground storage tank facilities within the last three years and the Bureau was able to do this by August 5, 2010. There are more than 1300 underground storage tank facilities in the state.

The program is also in the process of reassigning inspector districts.

Mr. Martin stated in regards to the AST upgrade requirements which are due on July 1, 2011, that the main upgrade requirement will include installing or upgrading secondary containment for new tanks and existing tanks and replacing single walled piping with double wall piping.

A discussion followed regarding the price the facility owner will pay to be in compliance to meet the regulatory upgrade requirements.

**Item # 7     REGULATION PROCESS UPDATE**

Ms. Jennifer Pruett, Tank Fee Manager, began with Rule Revisions and that the program has upcoming stakeholders meetings. The program is tentatively scheduled to be in front of EIB next spring. The newest parts the program is working on is delivery prohibition and enforcement, plus other changes to remediation and tank requirements. Stakeholders meeting are tentatively scheduled for October and November in Albuquerque, Las Cruces, Roswell and Farmington.

Ms. Pruett continued with Operator Training. The Bureau's first deadline for training was July 1, 2010 for owners of thirteen or more facilities in New Mexico. She stated that most of the owners of major facilities have met the training requirements.

Ms. Pruett will attend the National Tanks Conference and has been asked to do some presentations on the Operator Training Program which is getting national recognition. EPA has approved the state of Alabama to come out and review the Operator Training Program in New Mexico so the Bureau is looking forward to exchanging ideas with them.

**Item # 8     NEXT MEETING**

The next meeting is scheduled for November 19, 2010.

**Item # 9     OTHER BUSINESS**

**Item #10     ADJOURNMENT**

Mr. Thompson moved to adjourn the Meeting. Mr. Baca seconded. Motion passed unanimously.

The meeting adjourned at approximately 11:18 a.m.



Mr. Jim Norton, Chairman

Minutes prepared by: Trina Page